

LUCAS VALLEY LAW
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Attorney for Plaintiffs
AMERICAN PRESIDENT LINES, LTD. and
APL CO. Pte., LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

APL CO. Pte., LTD, a corporation, and
AMERICAN PRESIDENT LINES, LTD., a
corporation,

Plaintiffs,

v.

EXPORT INTERNATIONAL, INC., a
corporation,

Defendant.

No. C 12-4459 EMC

**SECOND STIPULATED REQUEST
FOR ORDER GRANTING RELIEF
FROM CASE MANAGEMENT
SCHEDULE**

Pursuant to Civil Local Rules 6-1(b), 6-2(a), 7-12, and 16-2(d) and (e), plaintiffs American President Lines, Ltd. and APL Co. Pte., Ltd. (collectively “APL”) and defendant Export International, Inc. (“EI”) request an order granting relief from the Case Management Schedule in the above-captioned matter.

One previous modification to the Case Management Schedule has been requested and granted. The parties have also concurrently filed a Second Stipulated Request to Further Extend the Time to Respond to Complaint.

This second requested enlargement of time/ relief from the Case Management Schedule is sought to allow APL and EI time to finalize a settlement agreement. The parties have agreed on

the amount of a settlement payment from EI to APL. However, a term of the proposed settlement involves APL entering into a shipping contract with EI. An enlargement of the time for the Case Management Schedule will allow the parties to negotiate the terms of that contract and complete the settlement. (*See* Declaration of Mark K. de Langis, filed in support of this Second Stipulated Request.)

IT IS HEREBY STIPULATED by and between plaintiff APL and defendant EI that the Case Management Schedule shall be vacated and amended to reflect the following dates:

Date	Event	Governing Rule
2/1/2013	Last day to meet and confer re initial disclosures, early settlement, ADR process selection, and discovery plan	FRCP 26(f) ADR L.R. 3-5
2/1/2013	Last day to file Joint ADR Certification with Stipulation to ADR process or Notice of Need for ADR Phone Conference	Civil L.R. 16-8 & ADR. L.R. 3-5(b)
2/1/2013	File either Stipulation to ADR Process or Notice of Need for ADR Phone conference	Civil L.R. 16-8© & ADR L.R. 3-5(b) & (c)
2/14/2013 2/28/13	Last day to complete initial disclosures or state objection in Rule 26(f) Report, file/serve Case Management Statement, and file/serve Rule 26(f) Report	FRCP 26(a)(1) Civil L.R. 16-9
2/21/2013 3/7/13	Case Management Conference in Courtroom 5, 17 th Floor, SF at 9:00 a.m.	Civil L.R. 16-10

DATED: January 17, 2013

LUCAS VALLEY LAW

By: /s/ Mark K. de Langis

Mark K. de Langis
Attorneys for Plaintiffs
AMERICAN PRESIDENT LINES, LTD.
APL Co. Pte., Ltd.

1 DATED: January 17, 2013

HELTZEL, WILLIAMS, YANDELL, ROTH,
SMITH, PETERSEN & LUSH, P.C.

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5 By: /s/ Michael C. Petersen

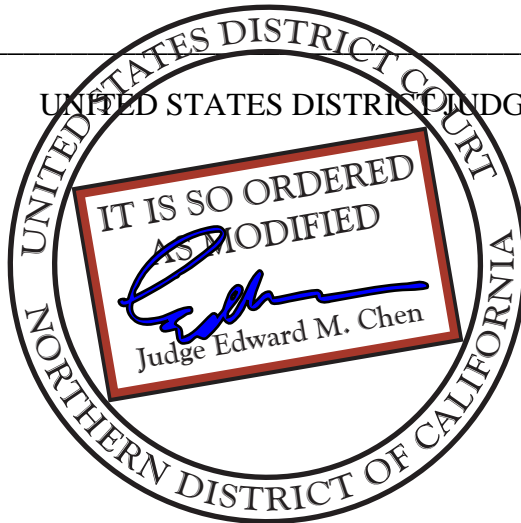
Michael C. Petersen
Attorneys for Defendant
EXPORT INTERNATIONAL, INC.

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9 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

10 The CMC is reset to 3/7/13 at 9:00 a.m. A joint CMC Statement shall be filed by 2/28/13.
11 1/24/13

12 Dated: _____

13 UNITED STATES DISTRICT JUDGE



ATTESTATION PURSUANT TO CIVIL L.R. 5.1

I, Mark K. de Langis, attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/s/) within this e-filed document.

/s/ Mark K. de Langis

Mark K. de Langis